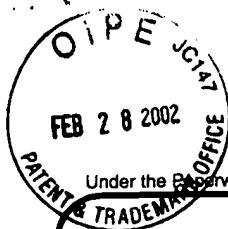


2873



MAR 06 2002

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Applicati n Numb r	09/128,156
Filing Date	12/04/2000
First Named Inventor	RICHARD F. BERGEN
Group Art Unit	2873
Examiner Name	A. HARRINGTON
Attorney Docket Number	D/01

Total Number of Pages in This Submission

3

## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☒ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

SPECIES ELECTION

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

WILLIAM A. HENRY, II

Signature

William A. Henry, II

Date

2/15/02

## CERTIFICATE OF MAILING

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WILLIAM A. HENRY, II

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William A. Henry, II

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MAR 06 2002

TECH CENTER 2800

Attorney Docket No. D/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Richard F. Bergen

Application No.: 09/728,756

Group: 2873

Filed: 12/04/2000

Examiner: A. Harrington

Title: **LIGHT ALTERING DEVICE**

Commissioner for Patents

Washington, D.C. 20231

Sir:

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2/15/02

(Date of deposit)

William A. Henry, II

William A. Henry, II #  
(Signature)

**ELECTION OF SPECIES UNDER 35 U.S.C. 121**

This response is in answer to the communication mailed January 15, 2002 with a shortened statutory period for response set to expire one month from the heretofore-mentioned mailing date.

The Examiner proffers that the application is directed to the following patentably distinct species of the claimed invention:

FIG. 1 and claims 1 – 9, 10 – 16, 17 – 21, 24, 30, 31 and 36 – 40.

FIG. 5 and claims 22 and 23.

FIG. 6 and claim 25.

FIG. 7 and claims 26 and 27.

FIG. 8 and claims 28 and 29.

FIG. 9 and claims 32 – 35.

Applicant hereby elects the species of FIG. 1 and claims 1 – 9, 10 – 16, 17 – 21, 24, 30, 31 and 36 – 40 for examination.